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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**55th Legislature, 2nd Session, 2022**

<b>Bill Number</b>	<u>HB165/aHEC</u>	<b>Sponsor</b>	<u>Romero, GA</u>
<b>Tracking Number</b>	<u>.222132.2</u>	<b>Committee Referrals</b>	<u>HEC/HAFC</u>
<b>Short Title</b>	<u>Web-Based Native American Student Tool</u>		
<b>Analyst</b>	<u>Estupiñan</u>	<b>Original Date</b>	<u>1/31/2022</u>
		<b>Last Updated</b>	<u>2/7/2022</u>

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**BILL SUMMARY**

Synopsis of HEC Amendment

The House Education Committee amendment to HB165 removes language requiring a “joint powers agreement” and replaces it with “intergovernmental agreement.”

Synopsis of Original Bill

House Bill 165 (HB165/aHEC) amends the Public School Code to require the creation of a web-based resource tool that provides resources for Native American students. The tool should be developed in consultation with tribes and pueblos, and may include:

- Information on education programs focused on the needs of Native American students;
- Modules, interventions, and educational approaches that are responsive to the needs of tribal students; and
- Information on local and regional Native American educational experts.

All information displayed on the modules will remain the intellectual property of the tribe, pueblo, or nation they originated from and will be distributed to the Public Education Department (PED) through a joint powers agreement.

PED will also be required to hire a full-time employee to oversee and maintain the Native American web-based tool.

**FISCAL IMPACT**

The bill appropriates \$250 thousand from the general fund to PED for expenditure in FY23. Any unexpended or unencumbered balance remaining at the end of FY23 shall revert to the general fund.

The House Appropriations and Finance Committee substitute for House Bill 2 includes \$15 million for the Indian education fund, which PED notes could potentially be used to support the

development and update of the web-based resource tool. The department also noted there may not be a need for additional staff to implement the project.

## **SUBSTANTIVE ISSUES**

Currently, there is a lack of centralization of knowledge and experience in policy and research relevant to Native American students. With 23 tribes, pueblos, and nations, New Mexico has a wide range of students who reflect the unique experiences, cultures, and languages of the communities they live in. While each of those communities is facing unique educational and socioeconomic challenges, many have common opportunities to strengthen linguistic and cultural resources within and across their communities.

Key to building tribal capacity is amplifying the voices and perspectives of local and regional experts who may not have an alternative opportunity to speak on behalf of their communities. Centralizing their information on a web-based tool would validate their unique perspectives on tribal education and enhance the ability of local and state stakeholders to access that knowledge, information, and context when collaboratively developing statutory and regulatory policy.

Further, this web-based tool may compliment ongoing policy research at the Native American Budget and Policy Institute at the University of New Mexico, which focuses on issues relevant to tribes, pueblos, and nations. Consolidating data and resources from tribal communities throughout the state could strengthen the policy center's ability to further contribute to research that determines whether programs and initiatives are effective, cost-effective, and scalable.

The development of the web-based tool would be overseen by PED, pursuant to an intergovernmental agreement.

## **ADMINISTRATIVE IMPLICATIONS**

HB165/aHEC would require staff time and resources at PED in addition to an investment of time and resources at tribal education departments that agree to contribute to the project.

## **TECHNICAL ISSUES**

During committee consideration of HB87, there was a suggestion that a joint powers agreement may not be the most effective or appropriate channel of intergovernmental agreements. Therefore, there may be a need to adopt language that specifies knowledge sharing between PED and tribes would be pursuant to an intergovernmental agreement rather than a joint powers agreement.

## **OTHER SIGNIFICANT ISSUES**

The executive's FY23 budget recommendation includes an appropriation to build a Native American language database. There may be a potential opportunity to build one comprehensive portal that is inclusive of educational, cultural, and linguistic resources, rather than potentially requiring two separate web-based tools relevant to Native American education.

## **RELATED BILLS**

HB166 – Web-Based At-Risk Student Resource Tool

**SOURCES OF INFORMATION**

- LESC Files

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